Remarks/Arguments

Reconsideration of this application, as amended, is respectfully requested.

Claims 1-5 remain in this application.

No claims have been allowed.

Claims 2 and 4 stand objected to for the reason that claim 2 does not contain the claim from which it depends and line 1 of claim 4 erroneously includes the article "a". Claim 2 has been amended at line 1 by inserting --1-- after "claim"; and claim 2 has been amended by deleting "a" from line 1.

Claims 1-5 stand rejected based on 35 U.S.C. 103(a) as being unpatentable over DenBraber et al. (U.S. Patent No. 6,131,0610 in view of Fujioka et al. (Japanese Patent Application 2000-56827). It is respectfully submitted that this rejection is in error.

Claim 1, among other structure, requires a tractor and a loader mounted on the tractor, with the loader including at least one load bearing member mounted for being raised and lowered by operation of at least one powered device coupled to the at least one bearing member and operable, in response to receiving appropriate control signals from an adjusting device, for raising and lowering the load bearing member. Together with this standard structure, claim 1 further requires a speech recognition device to be coupled to the adjusting device for transmitting said appropriate control signals thereto in response to receiving appropriate voice commands from an operator.

DenBraber et al. disclose an excavator 105 including an implement 110 comprising a lift boom 130, a stick 140 pivotally attached to an outer end of the boom 130 and a bucket 150 pivotally attached to the end of the stick 140. A boom control cylinder 170 is coupled between the swivel house of the excavator and the boom 130, a stick control cylinder 180 is coupled between the boom 170 and the stick 140, and a bucket control cylinder 190 is coupled between the stick 140 and the bucket 150. An implement control system 210 includes hydraulic controls 230a, 230b and 230c respectively coupled to the boom cylinder 170, stick cylinder 180 and bucket cylinder 190; and respectively associated with the boom 130, stick 140 and bucket 150 are position sensors 240a, 240b, and 240c. A controller 200 is coupled for sending a respective control signal 255 to each of the hydraulic controls 230a, 230b

and 230c in response to control inputs including those manually input, those of a data input interface 290 and signals relative to the various positions of the boom, stick and bucket. The key difference between the DenBraber et al. disclosure and similar machines in the prior art is that the data input interface contains information relative to an underdigging boundary that the implement 110 is restricted from invading by operation of the controller 200. With regard to the data input interface, DenBraber et al. disclose that the "data input interface 290 may be a liquid crystal display, console, keyboard, pushbuttons, voice recognition devices, other interfaces well known in the art or, preferably, a laptop computer. This is the only reference to "voice recognition".

Fujioka et al. disclose the idea of controlling an excavator **remotely** by equipping the excavator with a TV camera 11 and a control circuit, which both receive control signals from a **remote site** where the operator works and which is equipped with a personal computer 22 containing speech instruction recognizing means to which the operator inputs speech commands by way of a microphone 25.

It is respectfully submitted that it would not have been obvious to one skilled in the art to have converted the structure of DenBraber et al. for **remote operation** using a speech recognition device, as taught by Fujioka et al. structure remotely.

In conclusion, it is believed that this application is in condition for allowance, and such allowance is respectfully requested.

Any fees or charges due as a result of filing of the present paper may be charged against Deposit Account 04-0525. Two duplicates of this page are enclosed.

Respectfully,

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